



K&L Gates LLP  
599 Lexington Avenue  
New York, NY 10022-6030  
T 212.536.3900 [www.klgates.com](http://www.klgates.com)

January 24, 2011

Walter P. Loughlin  
D 212.536.4065  
F 212.536.3901  
[walter.loughlin@klgates.com](mailto:walter.loughlin@klgates.com)

**Via ECF and Hand Delivery**

Hon. Kiyo A. Matsumoto  
United States District Court Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Room N406  
Brooklyn, New York 11201

Re: Ross University v. Brooklyn-Queens Health Care, et al,  
09-cv-1410 (KAM) (RLM)

Dear Judge Matsumoto:

Enclosed, pursuant to Paragraph IV.C.1(c) of this Court's Chambers Practices, are the following motion papers of Brooklyn-Queens Health Care, Inc. ("BQHC") and Wyckoff Heights Medical Center ("Wyckoff," together with BQHC, "Defendants"), along with an accompanying affidavit of service for each set of papers.

Served on December 2, 2011:

- Defendants' Notice of Motion for Partial Summary Judgment Dismissing Two of Plaintiff's Principal Theories of Liability;
- Rule 56.1 Statement of Undisputed Facts in Support of Defendants' Motion for Partial Summary Judgment;
- Defendants' Memorandum of Law in Support of Their Motion for Partial Summary Judgment;
- Declaration of Justin H. Roeber in Support of Defendants' Motion for Partial Summary Judgment (with Exhibits 1 through 59);
- Declaration of David N. Hoffman, Esq. in Support of Defendants' Motion for Partial Summary Judgment (with Exhibits 1 through 5);
- Declaration of Vincent Arcuri in Support of Defendants' Motion for Partial Summary Judgment;

# K&L|GATES

Hon. Kiyo A. Matsumoto  
January 24, 2011  
Page 2

K&L Gates LLP  
599 Lexington Avenue  
New York, NY 10022-6030

T 212.536.3900 [www.klgates.com](http://www.klgates.com)

- Declaration of John H. Cook, Jr. in Support of Defendants' Motion for Partial Summary Judgment;
- Declaration of Adam Figueroa in Support of Defendants' Motion for Partial Summary Judgment;
- Declaration of A.C. Rao, M.D. in Support of Defendants' Motion for Partial Summary Judgment; and
- Declaration of Emil Rucigay in Support of Defendants' Motion for Partial Summary Judgment.

Served on January 11, 2012:

- Defendants' Response to Plaintiff's Local Rule 56.1 Statement of Material Facts;
- Defendants' Memorandum of Law in Opposition to Plaintiff's Motion for Partial Summary Judgment;
- Defendants' Memorandum of Law in Opposition to Plaintiff's Motion to Preclude Defendants' Expert Witness; and
- Declaration of Justin H. Roeber, Esq. in Support of Defendants' Opposition to Plaintiff's Motions for Partial Summary Judgment and to Preclude Defendants' Expert Witness Expert Witness (with Exhibits 1 through 21).

Served on January 24, 2012:

- Defendants' Memorandum of Law in Opposition to Plaintiff's Motion to Strike Portions of Defendants' Local Rule 56.1 Statement of Undisputed Facts; and
- Defendants' Reply Memorandum of Law in Further Support of Their Motion for Partial Summary Judgment Dismissing Two of Plaintiff's Principal Theories of Liability.

K&L|GATES

Hon. Kiyo A. Matsumoto  
January 24, 2011  
Page 3

Two full courtesy copy sets of each set of Defendants' motion papers are being delivered by hand to this Court's chambers as well.

Respectfully submitted,



Walter P. Loughlin

cc: George J. Tzanetopoulos, Esq. (*by email only*)